

Judge Lasnik

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHELTON LAYNE SMITH,

Defendant.

No. CR19-107-RSL

~~[PROPOSED]~~

**ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Entry of an Order of Forfeiture seeking to forfeit to the United States Defendant Shelton Layne Smith's interest in the following:

A judgment for a sum of money in the amount of \$1,236,521, representing the proceeds Defendant Shelton Layne Smith obtained as a result of Wire Fraud, in violation of 18 U.S.C. § 1343.

The Court, having reviewed the record, FINDS:

The above-identified sum of money is forfeitable pursuant to 18 U.S.C. § 982(a)(2)(A) and 28 U.S.C. § 2461(c), as it represents proceeds the Defendant obtained as the result of Wire Fraud, in violation of 18 U.S.C. § 1343, as charged in Count 1 of the Indictment, Dkt. No. 3;

1 The Defendant agreed, pursuant to the Plea Agreement he entered on September  
2 26, 2019, to forfeit his interest in the above-identified \$1,236,521 sum of money, Dkt.  
3 No. 19, ¶ 10;

4 The United States has agreed it will request the Attorney General apply any  
5 amounts it collects toward satisfaction of this forfeited sum to the restitution that is  
6 ordered in this case. Dkt. 19 at ¶ 10. The United States has also agreed that any amount  
7 the Defendant pays toward restitution will be credited against this forfeited sum. *Id.*

8 The evidence in the record, including information contained within the Plea  
9 Agreement, has established the requisite nexus between the above-described sum of  
10 money and the offense of conviction, pursuant to Federal Rule of Criminal Procedure  
11 ("Fed. R. Crim. P.") 32.2(b)(1)(B); and

12 No ancillary proceeding is required to the extent that the forfeiture consists of a  
13 judgment for a sum of money, pursuant to Fed. R. Crim. P. 32.2(c)(1).

14 THEREFORE, THE COURT ORDERS:

15 1) Pursuant to 18 U.S.C. § 982(a)(2)(A) and 28 U.S.C. § 2461(c), the  
16 Defendant's interest in the above-identified \$1,236,521 sum of money is fully and finally  
17 forfeited, in its entirety, to the United States;

18 2) No right, title, or interest in this sum of money exists in any party other  
19 than the United States;

20 3) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this order will become final  
21 as to the Defendant at the time he is sentenced, it will be made part of the sentence, and it  
22 will be included in the judgment;

23 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy, in whole or in part,  
24 this sum of money the United States may move to amend this order, at any time, to  
25 substitute property having a value not to exceed \$1,236,521; and

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2 5) The Court will retain jurisdiction in this case for the purpose of enforcing  
3 this order.

4 IT IS SO ORDERED

5 DATED this 12<sup>th</sup> day of December, 2019.

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9 THE HON. ROBERT S. LASNIK  
10 UNITED STATES DISTRICT JUDGE  
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15 Presented by:

16  
17 s/Matthew H. Thomas

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